THE HON'BLE SRI JUSTICE P.S. NARAYANA

WRIT PETITION No.16919 of 1997

Dated: 05.12.2006

Between

P. Rajamani, S/o. Rama Chandra Reddy,
Chittoor District.

…Petitioner

And

The District Collector,
Chittoor District, Chittoor and two others.

…Respondents

THE HON'BLE SRI JUSTICE P.S. NARAYANA

WRIT PETITION No.16919 of 1997

ORDER:

The writ petition is filed for issuance of a writ of *mandamus* directing the respondents to assign Ac.4.25 cents of land in S.No.228/1, of R.Mallavaram village, Renigunta Mandal, Chittoor District in favour of the petitioner and to pass a suitable order.

Several averments are made in the affidavit filed in support of the writ petition and equally lengthy counter-affidavit is filed by the first respondent denying certain allegations and taking a specific stand that the petitioner is not entitled to any relief as alleged in the affidavit such as grant of assignment patta, since the same is classified as River poramboke.

Sri B.Vishwanatha Reddy, learned counsel representing the petitioner and the learned Government Pleader for Assignment made certain submissions relating to the respective stands taken by the parties in the affidavit filed in support of the writ petition and also in the counter affidavit filed by the respondents.

It is stated by the petitioner that the Tahasildar, Chandragiri granted Eksal patta in his favour in respect of the land in question by proceedings ROC No.B2/947/84, dated 12.04.1984 and that he has been in possession and enjoyment of the same. It is also stated that since the said land is a Vagu poramboke, he spent huge amount for its development. It is further stated that due to political pressure, the respondents are intending to assign the land in question to certain others.

In the elaborate counter affidavit, several factual details are narrated and a specific stand is taken as to why the assignment cannot be granted as prayed for by the petitioner. In the counter affidavit, it is also stated that the petitioner is not in possession of the land in question.

In view of the facts and circumstances of the case, I am of the

considered opinion that inasmuch as the specific stand is taken by the petitioner that due to political pressure the respondents are intending to assign the self same land to certain others, it is made clear that in the event of granting of assignment being made objectionable the same to be considered in accordance with law and the third respondent, the Mandal Revenue Officer, Renigunta Mandal, is directed to look into all these aspects and pass appropriate orders in accordance with law taking all the facts and circumstances into consideration. It is stated that by virtue of the interim order granted by this Court, the petitioner is continuing in possession of the property in question. Till an appropriate decision is taken in this regard, status quo shall be maintained.

Accordingly, the writ petition is disposed of. There shall be no order as to costs.

P.S.Narayana, J

Date: 05.12.2006

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